

CITY COUNCIL MINUTES

December 14, 2015

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, December 14, 2015 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President H. Dan Adams presiding. The following business was conducted.

These minutes are not intended to be a verbatim transcript. Audio recordings of this meeting are on file in the City Clerk's Office.

President Adams: The Honorable Council of the City of Evansville is hereby called to order. Madam Clerk, please call the roll.

ROLL CALL:

Present: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Friend, O'Daniel, Weaver, Adams

Absent: Lindsey

President Adams: There being eight (8) members present, one (1) member absent; eight members representing a quorum, I hereby declare this session of the Common Council officially opened.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance tonight will be led by me.

Fellow Councilmen and those in audience, welcome to the December 14th meeting of the year 2015. It is our last for this year.

RECOGNITION OF SCHOOLS

Are there any school people in the audience? If so, would you please rise? Any...there's one; there's a whole row in here. Do you go to school? Okay, thank you so much for attending. I do appreciate that. Thank you. If you need something signed, by the way, at the end please come up and we'll sign it.

Councilwoman Brinkerhoff-Riley: We have the...

TEEN ADVISORY COMMITTEE:

President Adams: We have, I think, one representative of the Teen Advisory Committee.

Councilwoman Brinkerhoff-Riley: We do. We have Miss Erica Will who's a freshman at North High School.

President Adams: Great.

COUNCIL ATTORNEY

Our Council Attorney tonight is the august Scott Danks.

SERGEANT AT ARMS

The Sergeant at Arms is the effervescent Officer Afifi. Did I say that right?

Officer Afifi: *(Off Mic)* Yes sir, *(Inaudible)*

President Adams: Okay, thanks.

APPROVAL OF MINUTES

Is there a motion to approve the minutes of the December 7th, 2015 meeting of the Common Council as written?

Councilman Friend: So moved.

President Adams: Do we have a second?

Councilman Friend: I'm ready.

President Adams: Do we have a second? We have a motion; I need a second.

Councilman Weaver: Second.

President Adams: Thank you. All those in favor? Opposed? So be it.

REPORTS AND COMMUNICATIONS

EMAILED MATERIAL:

- * December 7th, 2015 Meeting Minutes
- * 2016 Clean Evansville Schedule

ON YOUR DESK THIS EVENING:

- * Extended Agenda
- * Ordinance R-2016-1

President Adams: Is there a motion to receive, file and make these reports and communications part of the minutes of the meeting?

Councilman O'Daniel: So moved.

President Adams: Second?

Councilman McGinn: Second.

President Adams: Great. Okay, we have a motion and a second. All those in favor? Opposed? So be it.

SUSPENSION OF THE RULES

Is there a motion to suspend the rules to hear Ordinance G-2015-23 on all three readings this evening?

Councilman Weaver: So moved.

Councilman Friend: So moved...second.

President Adams: We have a motion and a second. Roll call please when you get a chance.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Friend, O'Daniel, Weaver, Adams

Absent: Lindsey

President Adams: There being eight (8) Ayes and zero (0) Nays, Ordinance G-2015-23 will be heard in all three readings this evening.

CONSENT AGENDA

FIRST READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2015-23

A.S.D.

BRINKERHOFF-RILEY

An Ordinance Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2016 – River City Yellow Cab Co., Inc.

President Adams: Is there a motion to adopt the Consent Agenda as written?

Councilman Friend: So moved.

Councilwoman Brinkerhoff-Riley: Second.

President Adams: I have a motion and a second. All those in favor? Opposed? So be it.

CONSENT AGENDA

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2015-23

A.S.D.

BRINKERHOFF-RILEY

An Ordinance Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2016 – River City Yellow Cab Co., Inc.

ORDINANCE G-2015-30

A.S.D.

BRINKERHOFF-RILEY

An Ordinance Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2016 – Dave's Taxi Service

ORDINANCE G-2015-31**A.S.D.****BRINKERHOFF-RILEY**

An Ordinance Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2016 – Unity Taxi of Evansville

ORDINANCE G-2015-32**PUBLIC WORKS****LINDSEY**

An Ordinance to Vacate the 12 Foot Alley Lying Between Lots 2 and 3 in Mid-Town Industrial Park, Recorded in Plat Book J, Page 164 Within the City of Evansville

ORDINANCE G-2015-33**PUBLIC WORKS****LINDSEY**

An Ordinance to Vacate Certain Public Ways or Public Places within the City of Evansville, Indiana Commonly Known as Alley Way Between 1912 Harmony Way (Cave Park 2nd Add lots 7-11) and 3501 Koehler Ave (Cave Park 2nd Add L12 and PT L13) Evansville, Indiana 47720

ORDINANCE G-2015-34**PUBLIC WORKS****LINDSEY**

An Ordinance to Vacate Certain Public Rights of Way Within the City of Evansville, Indiana Commonly Known as Harriet Street From Virginia Street to Columbia Street and Iowa Street From Harriet Street to Read Street

COMMITTEE REPORTS:**A.S.D. COMMITTEE:****CHAIRMAN BRINKERHOFF-RILEY**

Chairwoman Brinkerhoff-Riley: Mister President, you're A.S.D. Committee met this evening to hear *Ordinances G-2015-23, G-2015-30 and G-2015-31* and all came forward with a do-pass recommendation.

PUBLIC WORKS COMMITTEE:**CHAIRMAN LINDSEY**

President Adams for Chairman Lindsey: The Public Works Committee met this evening to hear *Ordinances G-2015-32, G-2015-33 and G-2015-34. G-2015-32 and G2015-34* come forward with a do-pass. *G-2015-33* was tabled.

President Adams: Is there a motion to adopt the Committee Reports and move the Ordinances on for a Third Reading?

Councilman O'Daniel: So moved.

Councilwoman Mosby: Second.

President Adams: All those in favor? Opposed? So be it.

REGULAR AGENDA**THIRD READING OF ORDINANCES AND RESOLUTIONS****ORDINANCE G-2015-23****A.S.D.****BRINKERHOFF-RILEY**

An Ordinance Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2016 – River City Yellow Cab Co., Inc.

President Adams: Is there a motion to adopt Ordinance G-2015-23?

Councilman O'Daniel: So moved.

Councilman Weaver: Second.

President Adams: We have a motion and a second. Roll call when you get a chance.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Friend, O'Daniel, Weaver, Adams

Absent: Lindsey

President Adams: There being eight (8) Ayes and zero (0) Nays, Ordinance G-2015-23 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2015-30

A.S.D.

BRINKERHOFF-RILEY

An Ordinance Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2016 – Dave's Taxi Service

President Adams: Is there a motion to adopt G-2015-30?

Councilwoman Brinkerhoff-Riley: So moved.

Councilman O'Daniel: Second.

President Adams: We have a motion and a second. We'll have a roll call.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Friend, O'Daniel, Weaver, Adams

Absent: Lindsey

President Adams: Therefore there being eight (8) Ayes and zero (0) Nays, Ordinance G-2015-30 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2015-31

A.S.D.

BRINKERHOFF-RILEY

An Ordinance Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2016 – Unity Taxi of Evansville

President Adams: Is there a motion to adopt Ordinance G-2015-31?

Councilwoman Brinkerhoff-Riley: So moved.

Councilman O'Daniel: Second.

President Adams: We have a motion and a second. Roll call when you get a chance.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Friend, O'Daniel, Weaver, Adams

Absent: Lindsey

President Adams: Therefore being eight (8) Ayes and zero (0) Nays, Ordinance G-2015-31 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2015-32

PUBLIC WORKS

LINDSEY

An Ordinance to Vacate the 12 Foot Alley Lying Between Lots 2 and 3 in Mid-Town Industrial Park, Recorded in Plat Book J, Page 164 within the City of Evansville

President Adams: Is there a motion to adopt Ordinance G-2015-32?

Councilman Friend: So moved.

Councilman O'Daniel: Second.

President Adams: We have had a motion and a second. Roll call please.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Friend, O'Daniel, Weaver, Adams

Absent: Lindsey

President Adams: There being eight (8) Ayes and zero (0) Nays, Ordinance G-2015-32 is hereby declared adopted.

We skip this next page. (*Ordinance G-2015-33 - Tabled*)

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2015-34

PUBLIC WORKS

LINDSEY

An Ordinance to Vacate Certain Public Rights of Way Within the City of Evansville, Indiana Commonly Known as Harriet Street From Virginia Street to Columbia Street and Iowa Street From Harriet Street to Read Street

President Adams: Is there a motion to adopt Ordinance G-2015-34?

Councilwoman Brinkerhoff-Riley: So moved.

Councilman O'Daniel: Second.

President Adams: We have a motion and a second. Roll call please.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Friend, O'Daniel, Weaver, Adams

Absent: Lindsey

President Adams: There being eight (8) Ayes and zero (0) Nays, Ordinance G-2015-34 is hereby declared adopted.

MISCELLANEOUS BUSINESS

The next meeting of the Common Council will be Monday, January 4th, 2016 at 6:30 p.m. At this time there are no committee meetings scheduled at this time.

Councilwoman Robinson: Did we change our times from 5:30 to 6:30?

The first meeting following an election has to be at 6:30 and then you pick your future days and times.

President Adams: We can't pick it now?

Council Attorney Danks: *(Off Mic)* No.

Councilwoman Robinson: Okay.

President Adams: Thank you.

Council Attorney Danks: Actually you could but your first meeting following an election has to be at 6:30 p.m. on a Monday. The first Monday at 6:30 p.m.

President Adams: Oh, okay.

Council Attorney Danks: And all subsequent meetings you could pick now but you probably *(Inaudible)*

Speaking Simultaneously

President Adams: Is that Indiana time? Is that Indianapolis time? Is that...

Council Attorney Danks: That's a good point. I need to research that.

President Adams: Don't worry about it; don't worry about it. We'll show, I promise.

CARRYOVER OF 2015 ORDINANCES AND RESOLUTIONS TO THE YEAR 2016

President Adams: Okay, we now have a carryover...some of the ordinances that were presented in 2015, the ordinances and resolutions carrying to the year of 2016, and therefore I need a motion to carryover the following ordinances for the 2016:

Rezoning Ordinances:	General Ordinance:	Resolutions
R-2015-15	G-2015-33	NONE
R-2015-26		
R-2015-27		
R-2015-28		
R-2015-29		

And I thought there was an ordinance that had to do with the IT Advisory Committee was supposed to be brought back up in March.

Unidentified Speaker: *(Off Mic) (Inaudible)*

President Adams: Did we table that or...

Councilman Friend: I think we do. I think it was just that if was just tabled.

President Adams: Huh?

Councilman Friend: I thought it was tabled.

President Adams: I'm sorry?

Councilman Friend: I do not believe it was withdrawn; I believe it was just tabled.

President Adams: I think it was just tabled.

Councilwoman Mosby: Was it tabled?

City Clerk Windhorst: *(Off Mic)* It was tabled.

Councilwoman Mosby: Okay.

Councilwoman Brinkerhoff-Riley: Yeah, but I think that...doesn't that mean that it dies if it's not active on by December 31st.

President Adams: Well the thrust of it is we have an advisory board that's something like 30 people-wide and they thought coalescing it down to five or six would be more efficient and have some experts and so forth on IT.

Councilwoman Brinkerhoff-Riley: I think you also had to see what the County was going do.

President Adams: Exactly.

Councilwoman Brinkerhoff-Riley: But whatever happens will have to be refiled.

Speaking Simultaneously

President Adams: That's why we waited...yeah. The County Commissioners asked us to wait til March.

Councilwoman Mosby: Yeah, and I apologize. Laura did call me about that and I thought we would just not carry it over and we would get with the new Councilmembers and see what want to do with that and what type of ordinance we want.

President Adams: I think it's in a state of carryover. Either way; I mean either way is fine. Let's see. I need a motion to carryover.

Councilman O'Daniel: And we need on...then we need one more tonight: G-2015-33.

President Adams: You're right, thank you.

Councilman O'Daniel: So...

President Adams: Okay, everybody understand that now? Great, thank you for reminding me.

Alright, I need a motion to carryover the ordinances...

Councilman Friend: So moved.

President Adams:...to the year 2016.

Councilwoman Brinkerhoff-Riley: I'll second that.

President Adams: We have a motion and a second. All those in favor? Opposed? Great.

Is there any miscellaneous business that the Council would like to talk about?

Councilman O'Daniel: I just want to say thank you; pretty much it. Four years has gone by pretty quickly and as Bill stated earlier we haven't always agreed but we've talked about it and hopefully everybody's wiser for it so I wish the new Council good speed and to do well and to educate themselves and kind of follow their...follow their own path.

Councilman Friend: Yeah, I like to say thanks for the people of Evansville, especially in the Fifth Ward. I've enjoyed the last eight years on this Council. I think we've done a lot of things in the eight years and enjoyed the people I worked with. It's always be some part of my like I remember in a good way, I really will. I especially thank for those people who have always prayed for me and I appreciate those people who pray for this

Council because obviously we need all the help we can get from time to time. With that said, I really appreciate it and thank you so much for having me a part of this organization. I will always cherish it. Thank you.

Councilman McGinn: If I may say something too. You know when you have nine people that are intelligent and hardworking and independent and very, very, very strong willed, all want to do the right thing and may have different definitions of what the right thing is, there's bound to be a rough spot or two but notwithstanding I think, the last four years have been very interesting and I think the majority of the time we got things right, we really did.

I appreciate the three that are here and leaving and Scott also. Unbeknownst to probably the general public, the three of us have been able to talk openly and honestly for four years. I appreciate that; I'll miss it. I wish you the best of luck and I thank you for your service because I know how tough it's been. Thank you all.

Councilwoman Brinkerhoff-Riley: Yeah, I'll just echo that. I appreciate...I really enjoyed some of the relationships and the opportunity to serve. Some of the ordinances that we wrote, whether it was the Good Neighbor or the Landlord/Tenant Registry, I think those'll have long term, positive consequences on the community and I appreciate the opportunity to serve.

Look forward...congratulate my successor and wish her the best.

President Adams: Any other comments? Yes, sir.

Unidentified Speaker: *(Off Mic)* I'm sorry. *(Inaudible)*.

President Adams: That's fine.

Josh Croll: *(Off Mic)* I petitioned the...

President Adams: Please, time out. We need to know your name and where you're...

Josh Croll: Josh Croll. I live at 1912 Harmony Way and I had petitioned to vacate the alley between 1912 and 3501 and just hadn't been notified it was going to be tabled. Is there a reason for tabling it tonight?

President Adams: Well we were supposed...we heard it about 5:20, asked three times for a representative for it.

Josh Croll: Okay.

President Adams: Nobody was here so it's tabled til next year.

Josh Croll: Alright, sorry I'm...

President Adams: That's alright, I'm sorry too. We just didn't feel comfortable about passing it without a representative for...

Josh Croll: Sure, absolutely. Okay.

President Adams: Thanks for showing up.

Councilman McGinn: You're not the representative, are you?

Josh Croll: I am the representative.

Councilman McGinn: Oh, okay; too late then.

President Adams: Yeah, it is too late.

Councilman McGinn: Alright.

Councilman O'Daniel: *(Off Mic)* Next year.

President Adams: Thank you, sir.

I'll...I'll...any other comments? I'll make a couple a comments here. Number one, I'd like to thank Laura Windhorst, to my left here. She's been absolutely superb in keeping me on track and making sure I don't make too many mistakes and really has been incredibly helpful and really has made my life a lot easier and I really, truly appreciate it. It's really wonderful.

Number two, to my right, Scott Danks has just been a treasure. He has helped me in every possible means. He's helped everybody on Council if they wanted to ask for help and he has been a dear friend and a colleague and I hope to continue to have a relationship with him after...after this. He'll be leaving after this meeting but I've really enjoyed your being with us. I know you have some questions how pleasurable it was to deal with me but...

Council Attorney Danks: *(Off Mic)* It's been wonderful, Doc.

President Adams: Yeah right, right. We have a little something here for you.

Council Attorney Danks: *(Off Mic)* Oh, well...

President Adams: You can burn it in the fireplace tonight if you want.

City Clerk Windhorst: We do have a plaque and it reads, "In Appreciation to Scott Danks for Outstanding and Dedicated Service to the Evansville City Council - January 1, 2013 through December 31, 2015".

Applause

President Adams: And I fully realize that you don't have any of these at home so...

Council Attorney Danks: Right. Council, thank you very much. It is meaningful and I can tell you I've thoroughly enjoyed representing the Council for the past three years and it's a...it's just really been a pleasure. To echo what Councilman McGinn said, it's absolutely true. All nine of these individuals, they work their tails off for the City of Evansville. They're very bright, very dedicated individuals; very strong willed and many times they have different opinions on things but for the most part they're able to come to resolutions, or they have been. I'm convinced that when you have those types of vivid discussions a lot of times the best result occurs as a result of those.

But anyway, I've been really blessed that I've been part of the process and I'll miss you all. Thank you.

President Adams: Thank you.

Councilman Friend: Scott, by the way I thank you so much. I've really enjoyed having you on this along with us so...

Council Attorney Danks: Thank you, John.

President Adams: Thirdly I'd, very briefly, I want to concur what has already been said. With a modicum of rancor, there's been very lively discussion for the last four years and I've really...I thought it was very, very productive. I know it's not been fun and it's not been easy but I'll tell you what, if you look at the body of legislation that's been passed in the last four years, the City Council serving from 2012 to 2016 really took on some very difficult issues and hammered them out and I think (*Inaudible*) should be proud of they have occurred. Not everybody agrees; that's not...that's not why we're here. At least we didn't up like Senator Sumner in 1856 when a guy named Brooks, who was a Congressman from South Carolina, caned him half to death. We kept within the bounds of that.

But at any rate, it's been my pleasure and I...we do want to present plaques to John Friend, please.

Councilman Friend: Thank you.

Applause

President Adams: Conor O'Daniel.

Councilman O'Daniel: Thank you.

Applause

President Adams: Stephanie Brinkerhoff-Riley.

Applause

President Adams: Okay, Committee Reports.

COMMITTEE SCHEDULE FOR JANUARY 4, 2016

A.S.D. COMMITTEE:

CHAIRWOMAN STEPHANIE BRINKERHOFF-RILEY

No committee meetings
scheduled at this time.

PUBLIC WORKS COMMITTEE:

CHAIRMAN AL LINDSEY

No committee meetings
scheduled at this time.

FINANCE COMMITTEE:

CHAIRMAN CONOR O'DANIEL

No committee meetings
scheduled at this time.

ADJOURNMENT

President Adams: Okay, I will entertain a movement for adjournment.

Councilwoman Robinson: So moved.

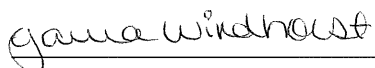
Councilman O'Daniel: Second.

President Adams: That was unanimous?

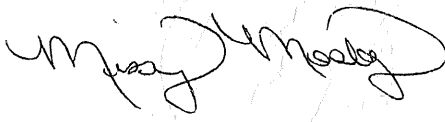
Councilman O'Daniel: *(Off Mic)* For the first time in four years, everything is unanimous.

President Adams: Hold on a second. Hold on a second. No, no, no, no. I'm sorry; I apologize. We asked for that in the miscellaneous thing so have a nice evening.

Meeting adjourned at 6:06 p.m.



Laura Windhorst, City Clerk



Missy Mosby, President

These minutes approved on January 4, 2016.